

SUMTER COUNTY, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, CREATING THE SUMTER COUNTY FIRE RESCUE MUNICIPAL SERVICES TAXING UNIT LOCATED WITHIN THE UNINCORPORATED AREA OF SUMTER COUNTY, AND THE INCORPORATED AREA OF THE CITIES OF BUSHNELL, CENTER HILL, COLEMAN, WEBSTER, AND WILDWOOD, FLORIDA, TO PROVIDE FIRE RESCUE SERVICES, FACILITIES AND EQUIPMENT; DEFINING THE BOUNDARIES OF THE UNIT; AUTHORIZING THE BOARD TO ANNUALLY LEVY AD VALOREM TAXES WITHIN THE BOUNDARIES OF SUCH UNIT NOT TO EXCEED 1.5 MILL; AUTHORIZING THE USE OF THE TAX REVENUE FOR ENUMERATED PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA THAT:

SECTION 1. TITLE. This ordinance may be cited as the Sumter County Fire Rescue Municipal Service Taxing Unit Ordinance.

SECTION 2. AUTHORITY AND PURPOSE.

(A) This Ordinance is enacted under the authority of Article VIII, section 1, Florida Constitution, and sections 125.01 and 125.66, Florida Statutes. The Board of County Commissioners (the "Board") of Sumter County, Florida, has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances and resolutions.

(B) Section 125.01(1)(q), Florida Statutes, provides specific legislative authorization for counties to establish a municipal service taxing unit for any part or all of the unincorporated areas within its boundaries, or within the municipal boundaries of an

1 incorporated area upon consent of the governing body of such municipality, within which
2 may be provided essential facilities and services.

3 (C) The purpose of this Ordinance is to create a municipal service taxing unit to
4 fund fire rescue services and other associated essential facilities and municipal services
5 within the municipal service taxing unit as generally described in Section 5 of this
6 Ordinance. This Ordinance shall be liberally construed to effect the purposes hereof.

7 (D) For the purposes of this Ordinance the term "fire rescue services" shall mean
8 the fire rescue facilities, services, and programs described herein eligible to be funded by
9 the Sumter County Fire Rescue Municipal Service Taxing Unit established hereunder.

10 **SECTION 3. CREATION OF FIRE RESCUE SERVICES MUNICIPAL**
11 **SERVICE TAXING UNIT; BOUNDARIES.**

12 (A) Pursuant to the provisions of section 125.01(1)(q), Florida Statutes, there is
13 hereby created a municipal service taxing unit known as the "Sumter County Fire Rescue
14 Municipal Service Taxing Unit" or "Sumter County Fire Rescue MSTU".

15 (B) The boundaries of the Sumter County Fire Rescue MSTU shall include all of
16 the unincorporated areas of the County and, subject to the consent by ordinance of the
17 affected municipality as provided for in section 7 hereof, the incorporated area of the cities
18 of Bushnell, Center Hill, Coleman, Webster, and Wildwood, Florida; provided, however,
19 that the Sumter County Fire Rescue MSTU boundaries shall not include that
20 unincorporated area of the County defined as The Villages Municipal Service Benefit Unit
21 by the Initial Assessment Resolution for the Villages Municipal Service Benefit Unit,
22 adopted by the Sumter County Board of County Commissioners on August 29, 2006.

23 (C) From time to time the Board may by resolution take any action not
24 inconsistent with this Ordinance to administer, deliver or provide fire rescue services or
25 otherwise implement and advance the efficient and effective delivery of fire rescue services
26 to persons in Sumter County.

1 **SECTION 4. AUTHORIZATION OF AD VALOREM TAXES.** The Board is
2 hereby authorized, in the manner and under the authority provided by section 125.01(1)(q)
3 and (r), Florida Statutes, to levy and collect additional ad valorem taxes at a millage rate
4 not to exceed *1.5* mill upon real and personal property within the Sumter County
5 Fire Rescue MSTU commencing with County fiscal year beginning on October 1, 2007. The
6 foregoing millage limitation shall not be increased without the governing boards of the
7 cities of Bushnell, Center Hill, Coleman, Webster, and Wildwood, Florida, first adopting an
8 ordinance consenting thereto.

9 **SECTION 5. USE OF REVENUE; IMPLEMENTATION**

10 (A) Revenues derived from ad valorem taxes levied within the Sumter County
11 Fire Rescue MSTU pursuant to Section 4 and from any fees and charges imposed for the
12 use or availability of fire rescue services, facilities, and programs shall be used solely for the
13 following purposes:

14 (1) to provide fire rescue services, facilities, and programs to persons in
15 Sumter County;

16 (2) to acquire, construct, or improve property, facilities, equipment, and
17 improvements necessary to provide fire rescue services and programs;

18 (3) to operate, maintain, and replace acquired property, facilities,
19 equipment, and improvements necessary to provide fire rescue services and programs;

20 (4) to compensate or reimburse the County, and those acting on its behalf,
21 for all costs reasonably related to and incurred in establishing, implementing and
22 administering the Sumter County Fire Rescue MSTU, and offering, providing and
23 delivering fire rescue services and other associated essential facilities and municipal
24 services to persons in Sumter County; and

25 (5) otherwise to provide for or pay for any other cost or expense
26 reasonably associated with providing for and delivering fire rescue services and facilities to
27 persons in Sumter County.

1 (B) The Board shall prepare and adopt a budget for the Sumter County Fire
2 Rescue MSTU for the fiscal year beginning October 1, 2007, and each year thereafter, at the
3 same time and in the same manner as the County budget. Such budget shall contain all or
4 such portions of the planned costs of providing the services and facilities authorized herein
5 as the Board deems reasonable and necessary to initiate and thereafter provide for fire
6 rescue services and facilities.

7 (C) The Board may set up reserve funds in the taxing unit budget in excess of the
8 estimated expenditures for the ensuing fiscal year for the purpose of creating reasonable
9 reserves.

10 **SECTION 6. SEVERABILITY.**

11 Should any provision of this Ordinance be declared by a court of competent
12 jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole,
13 or any part thereof, other than the part declared to be invalid.

14 **SECTION 7. EFFECTIVE DATE.**

15 (A) The effectiveness of this Ordinance within the incorporated areas of Bushnell,
16 Center Hill, Coleman, Webster and Wildwood is conditioned upon the governing bodies of
17 such municipalities adopting an ordinance consenting to the inclusion within the
18 boundaries of the Sumter County Fire Rescue MSTU.

19 (B) After enactment by the Board, this Ordinance shall then take effect upon
20 filing with the Department of State as provided in section 125.66(2), Florida Statutes.

21
22 [Remainder of page intentionally left blank.]

SUMTER COUNTY, FLORIDA

ORDINANCE NO. ____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, CREATING THE VILLAGES FIRE RESCUE MUNICIPAL SERVICES TAXING UNIT LOCATED WITHIN THE UNINCORPORATED AREA OF SUMTER COUNTY, FLORIDA, TO PROVIDE FIRE RESCUE SERVICES, FACILITIES AND EQUIPMENT; DEFINING THE BOUNDARIES OF THE UNIT; AUTHORIZING THE BOARD TO ANNUALLY LEVY AD VALOREM TAXES WITHIN THE BOUNDARIES OF SUCH UNIT NOT TO EXCEED .8 MILL; AUTHORIZING THE USE OF THE TAX REVENUE FOR ENUMERATED PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA THAT:

SECTION 1. TITLE. This ordinance may be cited as The Villages Fire Rescue Municipal Service Taxing Unit Ordinance.

SECTION 2. AUTHORITY AND PURPOSE.

(A) This Ordinance is enacted under the authority of Article VIII, section 1, Florida Constitution, and sections 125.01 and 125.66, Florida Statutes. The Board of County Commissioners (the "Board") of Sumter County, Florida, has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances and resolutions.

(B) Section 125.01(1)(q), Florida Statutes, provides specific legislative authorization for counties to establish a municipal service taxing unit for any part or all of the unincorporated areas within its boundaries, or within the municipal boundaries of an incorporated area upon consent of the governing body of such municipality, within which may be provided essential facilities and services.

1 (C) The purpose of this Ordinance is to create a municipal service taxing unit to
2 fund fire rescue services and other associated essential facilities and municipal services
3 within the municipal service taxing unit as generally described in Section 5 of this
4 Ordinance. This Ordinance shall be liberally construed to effect the purposes hereof.

5 (D) For the purposes of this Ordinance the term "fire rescue services" shall mean
6 the fire rescue facilities, services, and programs described herein eligible to be funded by
7 the Sumter County Fire Rescue Municipal Service Taxing Unit established hereunder.

8 **SECTION 3. CREATION OF FIRE RESCUE SERVICES MUNICIPAL**
9 **SERVICE TAXING UNIT; BOUNDARIES.**

10 (A) Pursuant to the provisions of section 125.01(1)(q), Florida Statutes, there is
11 hereby created a municipal service taxing unit known as the "Villages Fire Rescue
12 Municipal Service Taxing Unit" or "Villages Fire Rescue MSTU".

13 (B) The boundaries of the Villages Fire Rescue MSTU shall include that
14 unincorporated area of the County defined as The Villages Municipal Service Benefit Unit
15 by the Initial Assessment Resolution for the Villages Fire District Municipal Service Benefit
16 Unit, adopted by the Sumter County Board of County Commissioners on August 29, 2006.

17 (C) From time to time the Board may by resolution take any action not
18 inconsistent with this Ordinance to administer, deliver or provide fire rescue services or
19 otherwise implement and advance the efficient and effective delivery of fire rescue services
20 to persons in Sumter County.

21 **SECTION 4. AUTHORIZATION OF AD VALOREM TAXES.** The Board is
22 hereby authorized, in the manner and under the authority provided by section 125.01(1)(q)
23 and (r), Florida Statutes, to levy and collect additional ad valorem taxes at a millage rate
24 not to exceed [TO COME] mill upon real and personal property within the Villages Fire
25 Rescue MSTU commencing with County fiscal year beginning on October 1, 2007.

SECTION 5. USE OF REVENUE; IMPLEMENTATION

(A) Revenues derived from ad valorem taxes levied within the Villages Fire Rescue MSTU pursuant to Section 4 and from any fees and charges imposed for the use or availability of fire rescue services, facilities, and programs shall be used solely for the following purposes:

(1) to provide fire rescue services, facilities, and programs to persons within the Villages MSBU;

(2) to acquire, construct, or improve property, facilities, equipment, and improvements necessary to provide fire rescue services and programs;

(3) to operate, maintain, and replace acquired property, facilities, equipment, and improvements necessary to provide fire rescue services and programs;

(4) to compensate or reimburse the County, and those acting on its behalf, for all costs reasonably related to and incurred in establishing, implementing and administering the Villages Fire Rescue MSTU, and offering, providing and delivering fire rescue services and other associated essential facilities and municipal services to persons therein; and

(5) otherwise to provide for or pay for any other cost or expense reasonably associated with providing for and delivering fire rescue services and facilities to persons in within the Villages Fire Rescue MSBU.

(B) The Board shall prepare and adopt a budget for the Villages Fire Rescue MSTU for the fiscal year beginning October 1, 2007, and each year thereafter, at the same time and in the same manner as the County budget. Such budget shall contain all or such portions of the planned costs of providing the services and facilities authorized herein as the Board deems reasonable and necessary to initiate and thereafter provide for fire rescue services and facilities.

(C) The Board may set up reserve funds in the taxing unit budget in excess of the

1 estimated expenditures for the ensuing fiscal year for the purpose of creating reasonable
2 reserves.

3 **SECTION 6. SEVERABILITY.**

4 Should any provision of this Ordinance be declared by a court of competent
5 jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole,
6 or any part thereof, other than the part declared to be invalid.

7 **SECTION 7. EFFECTIVE DATE.**

8 (A) The effectiveness of this Ordinance is conditioned upon the governing bodies
9 of such municipalities adopting an ordinance consenting to the inclusion within the
10 boundaries of the Sumter County Fire Rescue MSTU, established by County Ordinance____.

11
12 (B) After enactment by the Board, this Ordinance shall then take effect upon
13 filing with the Department of State as provided in section 125.66(2), Florida Statutes.

14
15 [Remainder of page intentionally left blank.]

DULY ENACTED this ____ day of _____, 2006.

SUMTER COUNTY, FLORIDA

By: _____
Joey A. Chandler, Chairman
Board of County Commissioners

ATTEST:
Gloria R. Hayward, Clerk of the Court
Sumter County, Florida

BY: _____

APPROVED AS TO FORM:
Sumter County Attorney's Office

BY: Randall N. Thornton, Esq.
County Attorney

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF [TO COME], FLORIDA,
CONSENTING TO THE INCLUSION OF THE INCORPORATED AREA
OF THE CITY IN THE SUMTER COUNTY FIRE RESCUE MUNICIPAL
SERVICE TAXING UNIT; PROVIDING FOR TERMINATION OF
CONSENT; LIMITING THE MAXIMUM MILLAGE TO BE LEVIED BY
THE FIRE RESCUE SERVICES MUNICIPAL SERVICE TAXING UNIT;
AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF [TO COME],
FLORIDA:

SECTION 1. FINDINGS. It is hereby ascertained, determined, and
declared that:

(A) The Board of County Commissioners of Sumter County, Florida, has
established by Ordinance the Sumter County Fire Rescue Municipal Service Taxing Unit for
the purpose of providing fire rescue services, facilities, and equipment to persons in the
City of [TO COME], Florida (the "City") and the County.

(B) The effectiveness of the County Ordinance establishing the Sumter County
Fire Rescue Services Municipal Service Taxing Unit within the incorporated area of the City
and the corresponding provision of fire rescue services, facilities, and equipment, is
expressly subject to consent thereto by an ordinance adopted by the [TO COME] City
Council (the "City Council").

(C) The City of [TO COME] hereby determines that the inclusion of all of the
incorporated area within the boundaries of the City of [TO COME] in the Sumter County

1 Fire Rescue Municipal Service Taxing Unit is in the best interests of the citizens and
2 residents of the City.

3 **SECTION 2. CONSENT.** The City Council hereby consents to the
4 inclusion of all of the incorporated area of the City of [TO COME] in the Sumter County
5 Fire Rescue Services Municipal Taxing Unit established pursuant to Sumter County
6 Ordinance No. _____. Such consent shall become effective immediately upon adoption of
7 this Ordinance. Provided, however, such consent shall be subject to the termination
8 provisions in Section 3 hereof.

9 **SECTION 3. LIMITATION OF THE LEVY OF AD VALOREM TAXES;
10 TERMINATION OF CONSENT.**

11 (A) It is acknowledged that Sumter County Ordinance No. ____ has limited the
12 levy of additional ad valorem taxes to a millage rate not to exceed [TO COME] mill on real
13 and personal property within the Sumter County Fire Rescue Municipal Service Taxing
14 Unit.

15 (B) The consent herein provided shall be subject to the Sumter County Board of
16 Commissioners not authorizing a millage rate exceeding [TO COME] mills for the Sumter
17 County Fire Rescue Municipal Service Taxing Unit.

18 (C) In the event the millage rate imposed by the City ever exceeds [TO COME]
19 mills, the City Council shall be entitled to terminate any consent provided herein by the
20 adoption of a subsequent ordinance withdrawing such consent prior to May 31st for any

1 ensuing fiscal year.

2 (D) The consent and authorization for inclusion of the incorporated area of the
3 City within the Sumter County Fire Rescue Municipal Service Taxing Unit shall be for a
4 term of one (1) fiscal year, beginning on October 1, 2007, and ending on September 30, 2008.

5 However, the consent and authorization may be extended by a vote of the City Council,
6 after public hearing, taken not later than June 30, 2007.

7 **SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect
8 immediately upon adoption.

9 INTRODUCED in the City Council on the _____ day of _____, 2006.

10 PASSED AND ADOPTED by the City Council on the ____ day of _____ 2006.

11
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13
14 _____
15 [TO COME], Mayor
16

17 ATTEST:

18
19
20 _____
21 [TO COME]

22 City Clerk
23
24
25

26 Approved as to form and legality:
27
28
29
30 _____
31 City Attorney